

PATENT

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Denise C. Cheung

Applicants	:	Michael L. Obradovich, et al.	Confirmation No. 9704
Application No.	:	09/910,510	
Filed	:	July 19, 2001	
Title	:	TECHNIQUE FOR EFFECTIVE ORGANIZATION AND COMMUNICATION OF INFORMATION	
Grp./Div.	:	2141	
Examiner	:	Djenane Bayard	
Customer No.	:	81255	
Docket No.	:	1155-26-PA-DC	

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. § 1.192

Mail Stop Appeal Brief-Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

August 25, 2008

Commissioner:

This is an appeal to the Board of Patent Appeals and Interferences from the Final Rejection, dated March 26, 2008, in which Claims 1-5 and 26-100 of the above-referenced application stand rejected.

I. REAL PARTY IN INTEREST

The real party in interest is AMERICAN CALCAR INC.

II. RELATED APPEALS AND INTERFERENCES

There are no related Appeals and/or Interferences.

III. STATUS OF CLAIMS

Claims 6-25 are cancelled. Claims 1-5 and 26-100 stand finally rejected. Claims 1-5 and 26-100 are appealed.

IV. STATUS OF AMENDMENTS

A final Office action rejecting Appellant's claims was mailed on March 26, 2008. *See* Exhibit 1. The Examiner has twice rejected these claims as being unpatentable over the same references. No amendment in response to the final Office action has been presented.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a method for use in a server to communicate information to a mobile device. *See Specification* at page 6, line 8 *et seq.*; Fig. 1. In accordance with the claimed invention, profiles of a mobile device user are maintained which are, e.g., the user's personal profile, business profile, vacation profile, etc. *See Specification* at page 8, line 18 *et seq.*; Figs. 4 and 5. The server may receive, through a communications network, a mobile

device user request for information concerning a product or service provider, which may include data indicative of a selected profile of the user and the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 13, line 30 *et seq.* Based on the received data, the server collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* The requested information is then provided to the device, which includes information concerning at least one product or service provider (e.g., a restaurant, a gas station, etc.), selected in the vicinity of the location of the device and in accordance with the selected profile. *See Specification* page 14, line 12 *et seq.*, page 6, line 19 *et seq.* In addition, data is provided for the device to indicate to the user the location of the product or service provider relative to (e.g., its distance and direction from) the location of the device. *See Specification* page 14, line 16 *et seq.*; Fig. 10.

Independent claim 33, which tracks method claim 1 discussed above, is directed to a server system for serving a user of a mobile device. *See Specification* at page 6, line 8 *et seq.*; Fig. 1. In accordance with the claimed invention, storage is employed to maintain profiles of a mobile device user which are, e.g., the user's personal profile, business profile, vacation profile, etc. *See Specification* at page 8, line 18 *et seq.*; Figs. 4 and 5. An interface in the server system may receive, through a communications network, a mobile device user request for information concerning a product or service provider, which may include data indicative of a selected profile of the user and the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 6, line 8, *et seq.*; page 13, line 30 *et seq.* Based on the received data, a server processing unit collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* An output element of the server system then provides the requested information to the device, which includes information concerning at least one product or service provider (e.g., a restaurant, a gas station, etc.), selected in the vicinity of the location of the device and in accordance with the selected profile. *See Specification* page 14, line 12 *et seq.*; page 6, line 19 *et seq.* In addition, data is provided for the device to indicate to the user the

location of the product or service provider relative to (e.g., its distance and direction from) the location of the device. *See Specification* page 14, line 16 *et seq.*; Fig. 10.

Independent claim 48 is directed to a method for use in a server to communicate information to a mobile device. *See Specification* at page 6, line 8 *et seq.*; Fig. 1. In accordance with the claimed invention, profiles of a mobile device user are maintained which are, e.g., the user's personal profile, business profile, vacation profile, etc. *See Specification* at page 8, line 18 *et seq.*; Figs. 4 and 5. The server may receive, through a communications network, a mobile device user request for information concerning a product or service provider, which may include data indicative of a selected profile of the user and the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 13, line 30 *et seq.* Based on the received data, the server collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* The requested information is then provided to the device, which includes information concerning at least a first product or service provider (e.g., restaurant, gas station, etc.) in accordance with the selected profile, where the first product or service provider is selected, along with at least a second product or service provider, in the vicinity of the location of the device. *See Specification* page 14, line 12 *et seq.*, page 6, line 19 *et seq.* In addition, data is provided for the device to indicate to the user that the first product or service provider satisfies the selected profile, and the second product or service provider does not satisfy the selected profile. *See Specification* page 14, line 26 *et seq.*; Fig. 10.

Independent claim 60, which tracks method claim 48 discussed above, is directed to a server system for serving a user of a mobile device. *See Specification* at page 6, line 8 *et seq.*; Fig. 1. In accordance with the claimed invention, storage is employed to maintain profiles of a mobile device user, which are, e.g., the user's personal profile, business profile, vacation profile, etc. *See Specification* at page 8, line 18 *et seq.*; Figs. 4 and 5. An interface in the server system may receive, through a communications network, a mobile device user request for information concerning a product or service provider, which may include data indicative of a selected profile of the user and the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 6, line 8, *et seq.*; page 13, line 30 *et seq.* Based on

the received data, a server processing unit collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* An output element of the server system then provides the requested information to the device, which includes information concerning at least a first product or service provider (e.g., restaurant, gas station, etc.) in accordance with the selected profile, where the first product or service provider is selected, along with at least a second product or service provider, in the vicinity of the location of the device. *See Specification* page 14, line 12 *et seq.*, page 6, line 19 *et seq.* In addition, data is provided for the device to indicate to the user that the first product or service provider satisfies the selected profile, and the second product or service provider does not satisfy the selected profile. *See Specification* page 14, line 26 *et seq.*; Fig. 10.

Independent claim 72 is directed to a method for use in a server to communicate information to a mobile device. *See Specification* at page 6, line 8 *et seq.*; Fig. 1. According to the claimed invention, the server may receive, through a communications network, a mobile device user request for information concerning product or service providers satisfying at least one user criterion, and data indicative of the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 13, line 30 *et seq.* Based on the received data, the server collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* The requested information is then provided to the device, which includes selected information concerning product or service providers (e.g., restaurants, gas stations, etc.) satisfying the user criterion, and respective directions and distances thereof from the location of the device. *See Specification* page 14, line 12 *et seq.*, page 6, line 19 *et seq.* In addition, the selected information is formatted for the device to show the product and service providers on a list, which is sortable on their direction (e.g., north, east, south, west, etc.) and distance from the location of the device. *See Specification* page 14, line 16 *et seq.*; Fig. 10.

Independent claim 79, which tracks method claim 72 discussed above, is directed to a server system for serving a user of a mobile device. *See Specification* at page 6, line 8 *et seq.*; Fig. 1. In accordance with the claimed invention, an interface in the server system may receive, through a communications network, a mobile device user request for information concerning

product or service providers satisfying at least one user criterion, and data indicative of the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 13, line 30 *et seq.* Based on the received data, a server processing unit collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* An output element of the server system then provides to the device the requested information, which includes selected information concerning product or service providers (e.g., restaurants, gas stations, etc.) satisfying the user criterion, and respective directions and distances thereof from the location of the device. *See Specification* page 14, line 12 *et seq.*, page 6, line 19 *et seq.* In addition, the selected information is formatted for the device to show the product and service providers on a list, which is sortable on their direction (e.g., north, east, south, west, etc.) and distance from the location of the device. *See Specification* page 14, line 16 *et seq.*; Fig. 10.

Independent claim 86 is directed to a method for use in a server to communicate information to a mobile device. *See Specification* at page 6, line 8 *et seq.*; Fig. 1. According to the claimed invention, the server may receive, through a communications network, a mobile device user request for information concerning product or service providers satisfying at least one user criterion, and data indicative of the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 13, line 30 *et seq.* Based on the received data, the server collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* The requested information is then provided to the device, which includes information concerning a product or service provider (e.g., a restaurant, gas station, etc.) and its operating status, where the product or service provider is selected in the vicinity of the location of the communication device and in accordance with the user criterion. *See Specification* page 14, line 12 *et seq.*, page 6, line 19 *et seq.* In an illustrative embodiment of the invention, the operating status of the product or service provider indicates whether the product or service provider is open for business. *See Specification* page 14, line 16 *et seq.*; Fig. 10.

Independent claim 94, which tracks method claim 86 discussed above, is directed to a server system for serving a user of a mobile device. *See Specification* at page 6, line 8 *et seq.*;

Fig. 1. According to the claimed invention, an interface in the server may receive, through a communications network, a mobile device user request for information concerning product or service providers satisfying at least one user criterion, and data indicative of the location of the device determined by the device (e.g., GPS data representing the device location). *See Specification* page 13, line 30 *et seq.* Based on the received data, a server processing unit collects the requested information from different sources, e.g., Internet sources. *See Specification* page 2, line 9 *et seq.*; page 5, line 29 *et seq.*; page 12, line 12 *et seq.* An output element in the server system then provides the requested information to the device, which includes information concerning a product or service provider (e.g., a restaurant, gas station, etc.) and its operating status, where the product or service provider is selected in the vicinity of the location of the communication device and in accordance with the user criterion. *See Specification* page 14, line 12 *et seq.*, page 6, line 19 *et seq.* In an illustrative embodiment of the invention, the operating status of the product or service provider indicates whether the product or service provider is open for business. *See Specification* page 14, line 16 *et seq.*; Fig. 10.

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-5 and 26-100 were rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent Application No. 2002/0133500 to Arlein *et al.* (hereinafter "Arlein") in view of U.S. Patent No. 6,266,614 to Alumbaugh. (hereinafter "Alumbaugh").

VII. ARGUMENTS

THE EXAMINER HAS FAILED TO ESTABLISH A *PRIMA*
FACIE CASE OF OBVIOUSNESS IN REJECTING CLAIMS
1-5 AND 26-100 OVER ARLEIN VIEW OF ALUMBAUGH.

As discussed in Section V, the claimed invention is directed to a server system and method for communication of information to a mobile device. In accordance with the invention, profiles of a mobile device user are established in the server, which are, e.g., a personal profile, business profile, vacation profile, etc. A user may utilize the mobile device to send a request for information, which may include both data indicative of a selected profile of the user and a location of the device determined by the device (e.g., GPS data representing the device location). Based on the received data, a server collects the requested information from different sources, e.g., Internet sources. The requested information is then provided to the device, which includes information concerning at least one product or service provider (e.g., a restaurant, a gas station, etc.), selected in the vicinity of the location of the device and in accordance with the selected profile. In addition, data is provided for the device to indicate to the user the location of the product or service provider relative to (e.g., its distance and direction from) the location of the device. *See* Specification page 9, line 11 *et seq.*; page 14, line 12; and Figs. 4, 5 and 10.

In accordance with an aspect of the invention, the data provided for the device also indicates to the user a first product or service provider which satisfies the selected profile and a second product or service provider which does not satisfy the selected profile. *See* Specification

page 14, line 12 *et seq.*; Fig. 10. In accordance with another aspect of the invention, the requested information is formatted for the device to show a list of product and service providers, which is sortable on their direction (e.g., north, east, south, west, etc.) and distance from the location of the device. *See Id.* In accordance with still another aspect of the invention, the requested information also includes an operating status of a product or service provider, an indication of whether the product or service provider is open for business. *See Id.*

A. The Examiner's Combination of Arlein and Alumbaugh is Improper

Claims 1-5 and 26-100

Arlein discloses a privacy-preserving technique for use in a merchant server to collect data from a user at a computer, while visiting various merchant websites, to develop user profiles. *See Arlein*, ¶ 0009. In the final Office action, the Examiner admitted that Arlein fails to teach, among others, “receiving data indicative of a location of [a user’s] communication device determined by the communication device,” and providing to the user’s communication device “information concerning at least one product or service provider, selected in a vicinity of the location [of the] communication device ...” as in the claimed invention. Exhibit 1, page 5. In an attempt to reconstruct appellants’ claims by hindsight using a combination of Arlein and Alumbaugh, the Examiner stated the following:

It would have been obvious ... to combine the teaching of Arlein et al[,] and the system which utilizes the GPS coordinates of a present location to coordinate the provision of entertainment information (See col. 1, lines 37-39) taught by Alumbaugh to achieve the predictable result of providing requested information to the communication device wherein the requested information including information concerning at least one product or service provider selected in a vicinity of the location of the communication device

Exhibit 1, pages 5 and 6. In addition, in an attempt to read appellants’ claims on Arlein which are directed to a server, as opposed to a user communication device served by a server, the Examiner stated that Arlein “teaches a method for use in a server” Exhibit 1, page 4. Thus,

by combining, as suggested by the Examiner above, the “teaching of Arlein” which concerns a server with use of “the GPS coordinates of a present location” as taught by Alumbaugh, the resulting combination would be to use the GPS coordinates of the present location of the server to provide information about a “service provider selected in a vicinity of the location of the communication device” Exhibit 1, pages 5 and 6. Appellants are at a loss as to why the present location of the server, as opposed to the present location of the communication device, is relevant to providing information about a product or service provider in the vicinity of the communication device.

Appellants are further puzzled by the Examiner’s reasoning to combine the teachings of Arlein and Alumbaugh, which is “to achieve the predictable result of providing requested information to the communication device” *Id.* Such reasoning is fallacious since if the result of the information request is predictable, why would a person request the information in the first place, which should already have been predicted by that person?

Let’s assume, *arguendo*, for the moment that the user computer in Arlein could provide GPS coordinates of the present location of the user computer (and thus the user) to a merchant server, which assumption the Examiner has not established. However, because of privacy-preserving reasons, the Arlein server excludes from consideration such information “as the IP address from which the user visited or any other identifying information like an email address” (Arlein, ¶ 0049), let alone the GPS coordinates identifying the present, physical location of the user as postulated by the Examiner.

In view of the foregoing, the Examiner fails to provide sufficient reason for combining the teachings of Arlein and Alumbaugh, and the Examiner’s attempt to reconstruct appellants’ claims by hindsight is improper, especially in light of the Supreme Court’s mandate that “[a] factfinder should be aware, of course, of the distortion caused by hindsight bias and must be cautious of argument reliant upon *ex post* reasoning.” *KSR Int’l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1742 (citation omitted). *See* Exhibit 2. As such, the Examiner’s rejections of claims 1-5 and 26-100 which rely on the combination of Arlein and Alumbaugh should be reversed.

B. Even Assuming, *Arguendo*, that Combination of Arlein and Alumbaugh is Proper, it Still Does not Produce the Claimed Invention

1. Claims 1 and 33, and dependent claims 2-5, 26-32 and 34-47

In the final Office action, the Examiner admitted that Arlein “fails to teach” data indicative “of a location of [a] communication device determined by the communication device,” which is received by a server through a communications network as claims 1 and 33 recite. Exhibit 1, pages 2 and 5. However, the Examiner asserted that Arlein “teaches ... collecting requested information from one or more sources based on the received data,” as claims 1 and 33 further recite. Exhibit 1, page 2. Appellants take issue with the Examiner’s assertion as the “received data” in the claims includes the aforementioned data indicative of the location of the communication device which, according to the Examiner, Arlein fails to teach. It is simply illogical that Arlein can teach an act (collecting requested information from one or more sources) based on some data (data indicative of the communication device location) that Arlein does not teach.

The Examiner also admitted that Arlein fails to teach “the requested information includ[e] information concerning at least one product or service provider, selected in a vicinity of the location [of the] communication device [and] in accordance with the selected profile,” as claims 1 and 33 also recite. Exhibit 1, page 5.

Nevertheless, the Examiner cited Alumbaugh to attempt to fill the gap between the Arlein disclosure and the claimed invention. Alumbaugh discloses a travel guide device which may be utilized in a vehicle. As the travel guide device enters a defined service area, cellular communications service providers within that area automatically establish a communications link to the travel guide device and transmit a local directory to the same. The local directory is then maintained in a database of the travel guide device, which comprises a directory of locations (including GPS coordinates) for such places as hotels, restaurants, medical facilities, pharmacies, etc. A user may access travel guide information using a “range” (radial distance) function provided by the travel guide device. Directory locations within the specified range are displayed on the device, which may be ordered by proximity, by category (restaurants, filling stations,

etc.), or according to a user selected preference. *See* Alumbaugh col. 10, lines 15-40; Exhibit 1, pages 2-3.

However, like Arlein, Alumbaugh fails to teach or suggest, among others, “receiving, through a communications network, ... data indicative of a selected one of the profiles and a location of the communication device determined by the communication device,” as claims 1 and 33 recite. The Examiner asserted that “Alumbaugh teaches receiving data indicative of a location of the communication device determined by the communication device (See col. 10, lines 15-30).” Exhibit 1, page 5. The Examiner’s assertion is simply incorrect. The Alumbaugh travel guide device includes a GPS receiver for receiving signals from the GPS satellites. Based on such signals, the Alumbaugh device itself determines its present location, and, contrary to the Examiner’s belief, does not receive data indicative of the location of the device through a communications network. It actually is nonsensical that the Alumbaugh device would receive “data indicative of ... a location of the [Alumbaugh] device determined by the [Alumbaugh] device” itself “through a communications network” as claims 1 and 33 require. Indeed, the portion of Alumbaugh cited by the Examiner (i.e., col. 10, lines 15-30) to support the Examiner’s assertion discloses receipt, by the Alumbaugh device, of data concerning directory locations of all places (e.g., hotels, restaurants, medical facilities, pharmacies, etc.) but the location of the Alumbaugh device itself as alleged by the Examiner.

In fact, Alumbaugh teaches away from the claimed invention by having cellular communications service providers within a defined service area “automatically establish a communications link,” and transmit a local directory, to the Alumbaugh device when the device enters that defined service area, without requiring the cellular service providers to first receive data indicative of the location of the device before providing information to the device as in the claimed invention. Alumbaugh col. 10, line 26 *et seq.* (emphasis added).

Thus, like Arlein, Alumbaugh fails to teach or suggest a server “collecting requested information from one or more sources based on the received data,” indicative of the selected profile and a location of the communication device determined by the communication device, as claims 1 and 33 also recite. In addition, like Arlein, Alumbaugh fails to teach or suggest providing information “concerning at least one product or service provider, selected ... in

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accordance with the selected profile,” as claims 1 and 33 further recite. As such, claims 1 and 33, together with their dependent claims 2-5, 26-32 and 34-47, are patentable over Arlein in view of Alumbaugh. The Examiner’s rejection of these claims should be reversed.

2. Claims 48 and 60, and dependent claims 49-59 and 61-71

In addition to the above-discussed deficiencies of Arlein and Alumbaugh, nowhere do Arlein and Alumbaugh teach or suggest, among others, providing “information concerning at least a first product or service provider in accordance with the selected profile, wherein the first product or service provider and at least a second product or service provider are selected in a vicinity of the location of the communication device,” as claims 48 and 60 recite. *A fortiori*, nowhere do Arlein and Alumbaugh teach or suggest “providing data for the communication device to indicate to the user that the first product or service provider satisfies the selected profile and the second product or service provider does not satisfy the selected profile,” as claims 48 and 60 also recite. As such, claims 48 and 60, together with their dependent claims 49-59 and 61-71, are patentable over Arlein in view of Alumbaugh. The Examiner’s rejection of these claims should be reversed.

3. Claims 72 and 79, and dependent claims 73-78 and 80-85

In addition to the deficiencies of Arlein and Alumbaugh similar to those discussed in Section 1 above, nowhere do Arlein and Alumbaugh teach or suggest, among others, providing “information which is formatted for the communication device to show the plurality of product or service providers on a list, wherein the list of product or service providers is sortable on their direction and distance from the location of the communication device,” as claims 72 and 79 recite. By contrast, Alumbaugh at best discloses ordering directory locations by “proximity,” i.e., distance (col. 10, lines 38-40), as opposed to both direction (e.g., north, east, south, west) and distance as in the claimed invention. As such, claims 72 and 79, together with their dependent claims 73-78 and 80-85, are patentable over Arlein in view of Alumbaugh. The Examiner’s rejection of these claims should be reversed.

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4. Claims 86 and 94, and dependent claims 87-93 and 95-100


In addition to the deficiencies of Arlein and Alumbaugh similar to those discussed in Section 1 above, nowhere do Arlein and Alumbaugh teach or suggest, among others, providing to the communication device "information concerning at least one product or service provider, and an operating status thereof, the at least one product or service provider being selected in a vicinity of the location of the communication device and in accordance with the at least one user criterion, wherein the operating status indicates whether the at least one product or service provider is open for business," as claims 86 and 94 recite. As such, claims 86 and 94, together with their dependent claims 87-93 and 95-100, are patentable over Arlein in view of Alumbaugh. The Examiner's rejection of these claims should be reversed.

CONCLUSION

In view of the foregoing arguments, it is clear that the Examiner's attempt to reconstruct appellants' claims by hindsight using a combination of Arlein and Alumbaugh is improper. Appellants also submit that the Examiner is in error in the characterization of Arlein and Alumbaugh which, when taken singly or in combination, do not render obvious the invention set forth in Appellants' claims. Accordingly, it is respectfully requested that the rejections of Appellants' claims be reversed.

Respectfully submitted,

By



Daniel M. Cavanagh
Reg. No. 41,661

Date: 8/25/2008

Exhibit 1 – A copy of the final Office Action

Exhibit 2 – A copy of *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727

VIII. CLAIMS APPENDIX

1. A method for use in a server serving a user of a communication device, the method comprising:

maintaining a plurality of profiles of the user;

receiving, through a communications network, a request for information concerning one or more product or service providers, and data indicative of a selected one of the profiles and a location of the communication device determined by the communication device;

collecting requested information from one or more sources based on the received data;

providing the requested information to the communication device, the requested information including information concerning at least one product or service provider, selected in a vicinity of the location of the communication device and in accordance with the selected profile; and

providing data for the communication device to indicate to the user a location of the at least one product or service provider relative to the location of the communication device.

2. The method of claim 1 wherein the profiles include a personal profile.

3. The method of claim 1 wherein the profiles include a business profile.

4. The method of claim 1 wherein the profiles include a vacation profile.

5. The method of claim 1 wherein the one or more sources are connected to the Internet.

26. The method of claim 2 wherein the personal profile includes a medical record, at least part of the collected information comprising personal medical information being stored in the medical record.

27. The method of claim 1 wherein one of the profiles includes a financial record, at least part of the collected information comprising financial information being stored in the financial record.

28. The method of claim 1 wherein the collected information is stored for the user based on the location of the at least one product or service provider.

29. The method of claim 1 wherein the collected information is stored for the user based on one or more types of product or service provided by the at least one product or service provider.

30. The method of claim 29 wherein one of the types of product or service concerns entertainment.

31. The method of claim 29 wherein one of the types of product or service concerns restaurants.

32. The method of claim 1 wherein the location of the communication device is indicated by GPS data.

33. A system for serving a user of a communication device, the system comprising:
storage for maintaining a plurality of profiles of the user;
an interface for receiving, through a communication network, a request for information concerning one or more product or service providers, and data indicative of a selected one of the profiles and a location of the communication device determined by the communication device;
a processing unit configured to collect requested information from one or more sources based on the received data; and
an output element for providing the requested information to the communication device, the requested information including information concerning at least one product or service

provider, selected in a vicinity of the location of the communication device and in accordance with the selected profile, the output element being configured to provide data for the communication device to indicate to the user a location of the at least one product or service provider relative to the location of the communication device.

34. The system of claim 33 wherein the profiles include a personal profile.

35. The system of claim 33 wherein the profiles include a business profile.

36. The system of claim 33 wherein the profiles include a vacation profile.

37. The system of claim 33 wherein the one or more sources are connected to the Internet.

38. The system of claim 34 wherein the personal profile includes a medical record, at least part of the collected information comprising personal medical information being stored in the medical record.

39. The system of claim 33 wherein one of the profiles includes a financial record, at least part of the collected information comprising financial information being stored in the financial record.

40. The system of claim 33 wherein the collected information is stored for the user based on the location of the at least one product or service provider.

41. The system of claim 33 wherein the collected information is stored for the user based on one or more types of product or service provided by the at least one product or service provider.

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42. The system of claim 41 wherein one of the types of product or service concerns entertainment.

43. The system of claim 41 wherein one of the types of product or service concerns restaurants.

44. The system of claim 41 wherein the location of the communication device is indicated by GPS data.

45. The method of claim 1 further comprising planning a route to the at least one product or service provider.

46. The method of claim 29 wherein one of the types of product or service concerns gas stations.

47. The system of claim 41 wherein one of the types of product or service concerns gas stations.

48. A method for use in a server serving a user of a communication device, the method comprising:

maintaining a plurality of profiles of the user;

receiving, through a communications network, a request for information concerning one or more product or service providers, and data indicative of a selected one of the profiles and a location of the communication device determined by the communication device;

collecting requested information from one or more sources based on the received data;

providing the requested information to the communication device, the requested information including information concerning at least a first product or service provider in accordance with the selected profile, wherein the first product or service provider and at least a

second product or service provider are selected in a vicinity of the location of the communication device; and

providing data for the communication device to indicate to the user that the first product or service provider satisfies the selected profile and the second product or service provider does not satisfy the selected profile.

49. The method of claim 48 wherein the profiles include a personal profile.

50. The method of claim 48 wherein the profiles include a business profile.

51. The method of claim 48 wherein the profiles include a vacation profile.

52. The method of claim 48 wherein the one or more sources are connected to the Internet.

53. The method of claim 49 wherein the personal profile includes a medical record, at least part of the collected information comprising personal medical information being stored in the medical record.

54. The method of claim 48 wherein one of the profiles includes a financial record, at least part of the collected information comprising financial information being stored in the financial record.

55. The method of claim 48 wherein the collected information is stored for the user as a function of a geographic location.

56. The method of claim 48 wherein the collected information is stored for the user based on one or more types of product or service provided at least by the first product or service provider.

57. The method of claim 56 wherein one of the types of product or service concerns entertainment.

58. The method of claim 56 wherein one of the types of product or service concerns restaurants.

59. The method of claim 48 wherein the location of the communication device is indicated by GPS data.

60. A system for serving a user of a communication device, the system comprising:
storage for maintaining a plurality of profiles of the user;
an interface for receiving, through a communications network, a request for information concerning one or more product or service providers, and data indicative of a selected one of the profiles and a location of the communication device determined by the communication device;
a processing unit configured to collect requested information from one or more sources based on the received data; and
an output element for providing the requested information to the communication device, the requested information including information concerning at least a first product or service provider in accordance with the selected profile, wherein the first product or service provider and at least a second product or service provider are selected in a vicinity of the location of the communication device, the output element being configured to provide data for the communication device to indicate to the user that the first product or service provider satisfies the selected profile and the second product or service provider does not satisfy the selected profile.

61. The system of claim 60 wherein the profiles include a personal profile.

62. The system of claim 60 wherein the profiles include a business profile.

63. The system of claim 60 wherein the profiles include a vacation profile.

64. The system of claim 60 wherein the one or more sources are connected to the Internet.

65. The system of claim 61 wherein the personal profile includes a medical record, at least part of the collected information comprising personal medical information being stored in the medical record.

66. The system of claim 60 wherein one of the profiles includes a financial record, at least part of the collected information comprising financial information being stored in the financial record.

67. The system of claim 60 wherein the collected information is stored for the user as a function of a geographic location.

68. The system of claim 60 wherein the collected information is stored for the user based on one or more types of product or service provided at least by the first product or service provider.

69. The system of claim 68 wherein one of the types of product or service concerns entertainment.

70. The system of claim 68 wherein one of the types of product or service concerns restaurants.

71. The system of claim 60 wherein the location of the communication device is indicated by GPS data.

72. A method for use in a server serving a user of a communication device, the method comprising:

receiving, through a communications network, a request for information concerning one or more product or service providers satisfying at least one user criterion, and data indicative of a location of the communication device determined by the communication device;

collecting requested information from one or more sources based on the received data;
and

providing the requested information to the communication device, the requested information including selected information concerning a plurality of product or service providers satisfying the at least one user criterion, and respective directions and distances thereof from the location of the communication device, the selected information being formatted for the communication device to show the plurality of product or service providers on a list, wherein the list of product or service providers is sortable on their direction and distance from the location of the communication device.

73. The method of claim 72 wherein the one or more sources are connected to the Internet.

74. The method of claim 72 wherein the collected information is stored for the user as a function of a geographic location.

75. The method of claim 72 wherein the collected information is stored for the user based on one or more types of product or service provided by the product or service providers.

76. The method of claim 75 wherein one of the types of product or service concerns entertainment.

77. The method of claim 75 wherein one of the types of product or service concerns restaurants.

78. The method of claim 72 wherein the location of the communication device is indicated by GPS data.

79. A system for serving a user of a communication device, the system comprising:
an interface for receiving, through a communications network, a request for information concerning one or more product or service providers satisfying at least one user criterion, and data indicative of a location of the communication device determined by the communication device;

a processing unit configured to collect requested information from one or more sources based on the received data; and

an output element for providing the requested information to the communication device, the requested information including selected information concerning a plurality of product or service providers satisfying the at least one user criterion, and respective directions and distances thereof from the location of the communication device, the selected information being formatted for the communication device to show the plurality of product or service providers on a list, wherein the list of product or service providers is sortable on their direction and distance from the location of the communication device.

80. The system of claim 79 wherein the one or more sources are connected to the Internet.

81. The system of claim 79 wherein the collected information is stored for the user as a function of a geographic location.

82. The system of claim 79 wherein the collected information is stored for the user based on one or more types of product or service provided by the product or service providers.

83. The system of claim 82 wherein one of the types of product or service concerns entertainment.

84. The system of claim 82 wherein one of the types of product or service concerns restaurants.

85. The system of claim 79 wherein the location of the communication device is indicated by GPS data.

86. A method for use in a server serving a user of a communication device, the method comprising:

receiving, through a communications network, a request for information concerning one or more product or service providers satisfying at least one user criterion, and data indicative a location of the communication device determined by the communication device;

collecting requested information from one or more sources based on the received data; and

providing the requested information to the communication device, the requested information including information concerning at least one product or service provider, and an operating status thereof, the at least one product or service provider being selected in a vicinity of the location of the communication device and in accordance with the at least one user criterion, wherein the operating status indicates whether the at least one product or service provider is open for business.

87. The method of claim 86 wherein the one or more sources are connected to the Internet.

88. The method of claim 86 wherein the collected information is stored for the user based on a location of the at least one product or service provider.

89. The method of claim 86 wherein the collected information is stored for the user based on one or more types of product or service provided by the at least one product or service provider.

90. The method of claim 89 wherein one of the types of product or service concerns entertainment.

91. The method of claim 89 wherein one of the types of product or service concerns restaurants.

92. The method of claim 86 wherein the location of the communication device is indicated by GPS data.

93. The method of claim 86 further comprising planning a route to the at least one product or service provider.

94. A system for serving a user of a communication device, the system comprising:
an interface for receiving, through a communications network, a request for information concerning one or more product or service providers satisfying at least one user criterion, and data indicative a location of the communication device determined by the communication device;
a processing unit configured to collect requested information from one or more sources based on the received data; and
an output element for providing the requested information to the communication device, the requested information including information concerning at least one product or service provider, and an operating status thereof, the at least one product or service provider being

selected in a vicinity of the location of the communication device and in accordance with the at least one user criterion, wherein the operating status indicates whether the at least one product or service provider is open for business.

95. The system of claim 94 wherein the one or more sources are connected to the Internet.

96. The system of claim 94 wherein the collected information is stored for the user based on a location of the at least one product or service provider.

97. The system of claim 94 wherein the collected information is stored for the user based on one or more types of product or service provided by the at least one product or service provider.

98. The system of claim 97 wherein one of the types of product or service concerns entertainment.

99. The system of claim 97 wherein one of the types of product or service concerns restaurants.

100. The system of claim 94 wherein the location of the communication device is indicated by GPS data.

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IX. EVIDENCE APPENDIX

(NONE)

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X. RELATED PROCEEDING APPENDIX

(NONE)